

Notice of Allowability

Application No.

10/659,632

Applicant(s)

LIGHT ET AL.

Examiner

Art Unit

Le Luu

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed on 09/02/08 and interview on 09/22/08.
2. ☒ The allowed claim(s) is/are 1-17, 19-25, 27-35, 37-43, 45 and 46.
3. ☒ The drawings filed on 20 November 2007 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20080926</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>06/08/04</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Le Luu/
Primary Examiner, Art Unit 2141

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1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Mark V. Muller on September 22, 2008 to amend claims 1, 21, 22, 29, and 39.

3. Please amend claims 1, 21, 22, 29, and 39 as stated below:

1. (Currently Amended) A method, comprising:
receiving computing platform service information associated with a plurality of services offered by a plurality of service points;
storing at least a portion of the computing platform service information;
and
periodically transmitting, without solicitation ~~or~~ and confirmation, some of the computing platform service information to at least one potential subscriber to the plurality of services.

21. (Currently Amended) An article comprising a tangible computer-readable storage medium containing computer-executable instructions stored therein which, when executed, result in a computer performing:
receiving computing platform service information associated with a plurality of services offered by a plurality of service points;

storing at least a portion of the computing platform service information;
and

periodically transmitting, without solicitation ~~or~~ and confirmation, some of the computing platform service information to at least one potential subscriber to the plurality of services.

22. (Currently Amended) The article of claim 21, wherein periodically transmitting, without solicitation ~~or~~ and confirmation, further comprises:

transmitting, without solicitation ~~or~~ and confirmation, said some of the computing platform service information at intervals of less than about every five minutes.

29. (Currently Amended) An apparatus, comprising:

a memory module to store computing platform service information associated with a plurality of services offered by a plurality of service points in a range area; and

a transmission module, coupled to the memory module, to periodically transmit without solicitation ~~or~~ and confirmation some of the computing platform service information to at least one potential subscriber to the plurality of services.

39. (Currently Amended) A system, comprising:

a memory module to store computing platform service information associated with a plurality of services offered by a plurality of service points in a range area;

a transmission module, coupled to the memory module, to transmit without solicitation ~~or~~ and confirmation some of the computing platform service information to at least one potential subscriber to the plurality of services; and
an omnidirectional antenna coupled to the transmission module.

4. Pursuant to MPEP 606.01, the title has been changed to read:

-- A SYSTEM TRANSMITTING UNSOLICITED AND UNCONFIRMED
COMPUTING PLATFORM SERVICE INFORMATION TO WIRELESS
DEVICES --

5. The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record teaches the claimed invention substantially as discussed in the prosecution history of this application, but it fails to teach or suggest individually or in combination that a system periodically transmits without solicitation and confirmation computing platform service information associated with a plurality of services offered by a plurality of service points in a range area to wireless devices of potential subscribers to the plurality of services as set forth in independent claims 1, 21, 29, and 39. Claims 1-17, 19-25, 27-35, 37-43, and 45-46 are allowed because of the

combination of other limitations and the limitation listed above.

6. Examiner interprets the limitation "computer-readable storage medium" as a device that stores computer instructions and participates in providing the computer instructions to a computer processor for execution. The computer-readable storage medium includes non-volatile media, volatile media, computer storage devices and memories. For example, optical or magnetic disks, ROMs, PROMs, EPROMs, EEPROMs, RAM, hard disks, CDs, DVDs. The "computer-readable storage medium" does not include acoustic or electromagnetic waves, such as those generated during radio-wave, infra-red, and optical data communications.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Le Luu/

Primary Examiner, Art Unit 2141